

Serial No. 09/938,805  
Attorney Docket No. 41937-2001

**REMARKS / ARGUMENTS**

This Amendments and Response to Office Action is filed in response to the Office Action of March 23, 2005.

Claims 1, 21-30 are rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa (U.S. Patent 6421685).

With entry of the above amendments and consideration of the reasons stated below, Applicants respectfully submit that the rejections set forth in the outstanding Office Action are overcome.

**I. Rejection of Claims 1, 21-30 under 35 U.S.C. 112 as being indefinite**

Claims 1, 21-30 are currently amended as above; more particularly, claims 21-30 are amended to be depending on claim 20 instead of claim 19, as well as in claim 1, “an OS typical-format databank” is amended to “an OS standard-format” for consistency purpose. Applicants submit that the rejection has been overcome, and its withdrawal is respectfully requested.

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II. Rejection of Claims 1-30 under 35 U.S.C. 103(a) as being unpatentable over Nishikawa

(U.S. Patent 6421685)

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skills in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success to combine the teachings of the references. Finally, the prior art reference (or references when combined) must teach or suggest all the claim elements. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art references and not based on applicant's disclosure. See MPEP §706.02(j).

Nishikawa disclosed a system which has a personal computer (PC) serving as a host apparatus, a PIG serving as a data processing apparatus, and a cable for connecting the PC and the PIG that is present outside the PC. See col. 6, lines 16-22 and col. 8, lines 8-9. The PC operates an EXCEL system and a "WOLF" system for storing file data from the EXCEL in a management file (third file) to manage data exchange with the PIG. See col. 7, lines 14-22. The WOLF system assures the three data areas, i.e., EXCEL, WOLF, and PIG areas in the WOLF management file. See col. 8, lines 14-15. As shown in FIG 6, the WOLF management program manages files with the EXCEL system by referring to the contents of the "file name" and "file number" fields in the "EXCEL directory" record, and the "file name" and "file number" fields in the "WOLF directory" record. On the other hand, the WOLF file management program manages files with the PIG by referring to the contents of the "file name" and "file number" fields in the "PIG directory" record, and the "file name" and "file number" fields in the

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"WOLF directory" record. See col. 8 line 64 - col. 9 line 6. If data has been modified by one of the PIG, WOLF, and EXCEL, it can be determined by checking non-coincidence of the values of the "serial number" fields in the WOLF file. See col. 9, lines 36-38. Nishikawa fails to teach a second data-exchange software system.

The present invention discloses a data exchange system for exchanging data between two software systems running on a computer having an operating system for maintaining data consistency in a plurality of databases in said two software programs in real-time. Each of the two software systems comprises its corresponding data synchronization module, data exchange module, file access module, exchange databank and standard-format databank. As shown in FIG. 1, information collected and entered by the user that requires exchanging between the systems is stored in both databanks regardless of which system is used for information processing. Furthermore, each of the two data exchange modules retrieves its own version of data in its corresponding system for comparison with what has been in the database. Data can be divided into two types: one needs to have only its indices recorded, and the other needs a complete recording.

Nishikawa taught a file control system in a host and client environment; on the contrary, the present invention provides a data exchange system for two co-existing software systems residing on one computer. The connecting relationships among each element disclosed by Nishikawa as shown in FIG. 3 of Pat. 6,421,685 are different from those provided by the present invention as shown in FIG. 1 of the specification. Furthermore, the ways of synchronization are also different, as mentioned above. What one of an ordinary skill in the art would recognize is

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that the WOLF system used to manage data exchange between the host and the client resides on the host side for the inherently resourceful nature of the host environment. However, the teaching of Nishikawa would not have motivated one of an ordinary skill in the art to install a second WOLF system on the computer for the reason that installing an additional management program would generally increase processing overhead and could slow down system performance. Therefore, it would not have been obvious to one of an ordinary skill in the art to modify the teaching of Nishikawa to include two WOLF systems.

For at least these reasons, it is submitted that the obviousness rejection is inadequate, and its withdrawal is respectfully solicited.

By virtue of their respective dependency upon claim 1, dependent claims 2-14 also patently define over the prior art reference.

Claim 15 corresponds to claims 1 and 2, and thus also patently define over the prior art reference.

By virtue of its dependency upon claim 15, dependent claim 16 also patently defines over the prior art reference.

Claims 17-30 correspond to system claims 1-14, and thus also patently define over the prior art reference.

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With regard to above arguments, the withdrawal of this rejection is respectfully solicited.

### CONCLUSION

For at least the foregoing reasons, it is believed that all of pending claims 1-30 of the present application patently define over the prior art references and are in proper condition for allowance. Furthermore, because no new claim is added, no additional fees are required. In the event, however, that additional fees are required to complete this filing, Commissioner is authorized to deduct any deficiencies from Deposit Account 13-0480, Attorney Docket No. 41937-2001.

If the Examiner has any questions regarding this filing or the application in general, Examiner is invited to contact Applicants' attorney at the below-listed telephone number.

Respectfully submitted,

Date: JUNE 23, 2005

  
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